

Administrative Rule 6. Court Records Media Storage Standards

The Supreme Court of Indiana has replaced the former Administrative Rule 6, “Microfilming Standards,” and Administrative Rule 13, “Optical Disk Imaging Standards,” with a new Administrative Rule 6, “Court Records Media Storage Standards.” This new rule combines and updates standards found in the former two rules and adds language covering microfilm/scanning hybrid systems.

The new rule continues to require that a “Destruction Certification Form” be sent to the Division of State Court Administration for court records that have been microfilmed before destruction of the original records. A second destruction certification form is now required to be submitted for scanned records. This new form is attached.

The rule continues to require prior approval by the Division of State Court Administration before a scanning system can be used for court records. In addition, beginning in 2006, each court or clerk shall be required to certify that scanned images stored on a digital master have been examined to verify that such records remain readable without deterioration. A court or clerk also must certify that scanned images remain readable after software or hardware upgrades.

Finally, the rule requires application of Administrative Rule 9 to both records and data fields to comply with public access and confidentiality requirements.

To assist clerks, court personnel and trial judges, the following rule sections are excerpted below. The full text of the rule can be found t the court’s we site, www.state.gov/judiciary.

(A) Application of Standards. All courts in the State of Indiana shall meet the standards set forth under this rule regarding the use of: (1) microfilm for the preservation of any record of a court or a court agency; (2) digital imaging technology for the storage and preservation of any record of a court or of a court agency; and (3) hybrid systems producing both digital images and microfilm for the preservation of any record of a court or of a court agency. These standards shall apply to all records, regardless of medium, kept by courts, their clerks, and court agencies, including the methods used to reproduce or create records electronically and to the methods, systems, and formats used to store, archive, and reproduce records electronically for the purpose of maintenance and preservation of records. Only those records or record series which have been approved for microfilming under Administrative Rule 7 shall be eligible for microfilming.

(H) Digital Imaging Specifications. Specifications for digital imaging systems must meet appropriate standards referenced in section (E) of this rule. However, before a court, clerk or court agency shall install such a system, systems specifications must be forwarded to the Division of State Court Administration, in writing, to determine compliance with Trial Rule 77(J). Annually, courts, clerks, and court agencies shall submit a report to the Division of State Court Administration certifying that digital images remain readable upon modification and upgrade to software, hardware, and systems. The Division shall make a form available for this purpose. Specifications must conform to Chapter Ten, “Image Systems: Strategy, Guidelines, and Standards,” of the State of Indiana’s *Information Processing Policy and Management Procedures*, developed by the Data Processing Oversight Commission.

(J) Access. Access to a court record created or stored in either or both a microfilm or digital format will be governed according to Administrative Rule 9.

(K) Disposal of Records. Court records which have been preserved in accordance with the standards set out in this rule may be destroyed or otherwise disposed but only after the court or its clerk files a “Destruction Certificate” with the Division of State Court Administration certifying that the records have been microfilmed

or digitized in accordance with the standards set out in this rule, and the Division issues a written authorization for the destruction of such records. The Division of State Court Administration shall make available a form "Destruction Certificate" for this purpose.

ADMINISTRATIVE RULE 6 DESTRUCTION CERTIFICATION FORM

**Send this form to the Division of State Court Administration, Suite 1080,
115 West Washington St, Indianapolis, IN 46204-3466, upon scanning a
record series but before destruction of these records occurs.**

The following court records have been scanned in accordance with the imaging standards of Administrative Rule 6 pursuant to the appropriate retention schedule found in Administrative Rule 7:
[Cite the dates of records being scanned and provide the appropriate retention schedule.]

Use one form per record series

I certify that the documentation, legibility and permanency standards set forth in Administrative Rule 6, Section (E) (1), (2) and (3) have been met and have been documented as part of the appropriate documentation file:

- 1) The records listed above have been approved for scanning by the appropriate court.
- 2) The Clerk maintains a permanent General Documentation file on these records as required under Administrative Rule 6.
- 3) The Clerk maintains a permanent Specific Documentation file as required under Administrative Rule 6, in which the following steps have been approved, documented, and audited for compliance:
 - (a) a specific weeding policy was implemented for these records and said policy has been retained as part of the documentation file;
 - (b) the images have been verified against the originals, by a document-by-document inspection;
 - (c) The images have been scanned at no less than 300 dpi.
 - (d) The digital master incorporates the file format, TIFF Group 4, meeting ISO standard 12639:1998, is stored in an environment meeting ANSI/AIIM TR25-1995, and is monitored for deterioration on a regular basis in accordance with ANSI/AIIM MS59-1996.
- 4) Required documentation and quality control target, X441 or X443, in accordance with ANSI/AIIM MS44 (R1993), with original signature on each form has been used and as a part of the documentation file.
- 5) The appropriate, authorized person has audited each of the above procedures and finds that the production is in compliance with each and every requirement of Administrative Rule 6.
- 6) Permanent court files, CCS, and RJO records shall be converted to microfilm in accordance with Administrative Rule 6 (D).

[Seal]

Clerk of the _____ Circuit Court

date